REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

In the Office Action, the Examiner objected to the drawings and the specification for including new matter. Applicants respectfully traverse these objections. However, to expedite allowance, FIG 1 and the specification have been amended in accordance with the Examiner's suggestions. Replacement sheet including FIGs 1 and 3 is enclosed. Further, an annotated drawing sheet with marked-ups in red of the sheet showing changes to FIG 1 is enclosed for convenience. Applicants respectfully request withdrawal of the objections to drawings and specification, as well as approval of the enclosed proposed drawing changes.

In the Office Action, claim 1 was objected to for a certain informality. In response, claim 1 has been amended in accordance with the Examiner's suggestion. Accordingly, withdrawal of the objections to claim 1 is respectfully requested.

In the Office Action, claims 17 and 18 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement, since the recitations of first and second

video signals, and first and second portions of the display are not in the specification.

Applicants respectfully traverse this rejection. However, to expedite allowance, claims 17-18 have been amended to better track the language used in the specification, such as page 5, lines 21-31. Claims 17-18 were not amended in order to address issues of patentability and Applicants respectfully reserves all rights they may have under the Doctrine of Equivalents.

In the Office Action, claims 1-13, 15-16, 19-20 and 22-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 5,978,041 (Matsuda), in view of U.S. 6,069,449 (Murakami). Applicants respectfully traverse this rejection and submit that claims 1-13, 15-16, 19-20 and 22-33 are patentable over Matsuda and Murakami for at least the following reasons.

Matsuda teaches enhancing the brightness of a picture B, which a portion of the display 3101 shown in FIG 49, by increasing the voltage of picture B to include both voltage from a power source 3113 and control voltage from cont., which is increased from 0V to pV (column 39, line 2). The brightness of the rest of the display outside picture B (picture B being a portion of the display 3101),

referred to as text picture A is not changed, which brightness of text picture A is caused by the power source 3113, where the control voltage from cont. is 0V.

In summary, Matsuda increases the brightness of portion B by increasing its voltage, while leaving unchanged the brightness (and thus voltage) of the rest of the display 3101, which is the text picture A outside the portion B.

As correctly noted by the Examiner, Matsuda does not teach or suggest certain features of the present invention, such as increasing the illumination of the display, and then decreasing the amplitude of the video signal outside the window, thus resulting in a brighter window. According to the Examiner, this feature is obvious as one skilled in the art "would recognize that brightness of picture B could similarly be enhanced by using negative control voltage cont. for portion outside picture B..." (See Office Action, page 5, second full paragraph).

It is respectfully submitted that while the end result of the present invention and Matsuda may appear to be similar, where the brightness of a display portion or window is increased, there is nothing equivalent between Matsuda and the present invention with

regard to the particular ways the window brightness is increased. Increasing display illumination and decreasing the video signal amplitude outside the window portion is diametrically opposite the teaching of Matsuda, where brightness of the window portion is increased by adding a control voltage cont. to the power source 3113, while only using the power source 3113 (without the control voltage cont.) for providing the brightness of the entire screen 3101. Accordingly Matsuda, where a voltage is added to increase brightness of portion B, **teaches away** from the present invention as recited in independent claims 1, 8-9, 13, 15-20 and 22-23, where display illumination is increased and brightness outside the window is decreased.

There is simply no teaching or suggestion in Matsuda of increasing brightness of a portion of a display by increasing the illumination provided by an illuminator and decreasing the video signal amplitude outside the display portion, as recited in independent claims 1, 8-9, 13, 15-20 and 22-23.

It is respectfully submitted that the conclusion of the Office Action that the present invention is obvious in view of Matsuda (which teaches away from the present invention as discussed above)

appears to require impermissible hindsight, since the Office Action provides no guidance how and where this particular modification of Matsuda is suggested.

It should be noted that the mere fact that the prior art device could be modified so as to produce the claimed device is not a basis for an obviousness rejection unless the prior art suggested the desirability of the modification. See, In re Gordon, 733 F.2d 900, 902 (Fed, Cir. 1984); and In re Laskowski, 871 F.2d 115, 117 (Fed. Cir. 1989). Yet, Matsuda provides no such motivation.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. See, MPEP §2143.

Since Matsuda does not meet this threshold, Applicants respectfully traverse the obviousness rejection of claims 1-13, 15-16, 19-20 and 22-33, particularly because Matsuda does not

disclose, suggest or provide motivation to make the required modification.

Murakami does not remedy the deficiencies in Matsuda, as Murakami is cited to show an LCD display where the brightness of the backlight is increased on the basis of the temperature of the backlight and the remaining power of the battery.

Accordingly, it is respectfully submitted that independent claims 1, 8-9, 13, 15-20 and 22-23 be allowed. In addition, it is respectfully submitted that claims 2-7 and 10-12 should also be allowed at least based on their dependence from independent claim 1.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any informalities remain, the Examiner is requested to telephone the undersigned in order to expedite allowance.

Please charge any fee deficiencies and credit any overpayments to Deposit Account No. 14-1270.

Respectfully submitted,

By _____
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April 6, 2005

Enclosure: Replacement drawing sheet (1 sheet with FIGs 1 and 3)
Annotated Sheet drawing sheet
(1 sheet showing changes to FIG 1)

CERTIFICATE OF MAILING

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On April 6, 2005
(Date of Mailing)

By Natalie A. Marzo
(Signature)

IN THE DRAWING

Please replace FIG 1 with the enclosed substitute FIG 1.

Annotated Sheet
Reply to Office Action of Jan. 10, 05

S/N 10/055,396

Inventor: Giovanni Lonoce et al.
Attorney Docket: IT 010001
Title: WINDOW BRIGHTNESS ENHANCEMENT FOR LCD DISPLAY
Contact: Dicran Halajian (914) 333-9607

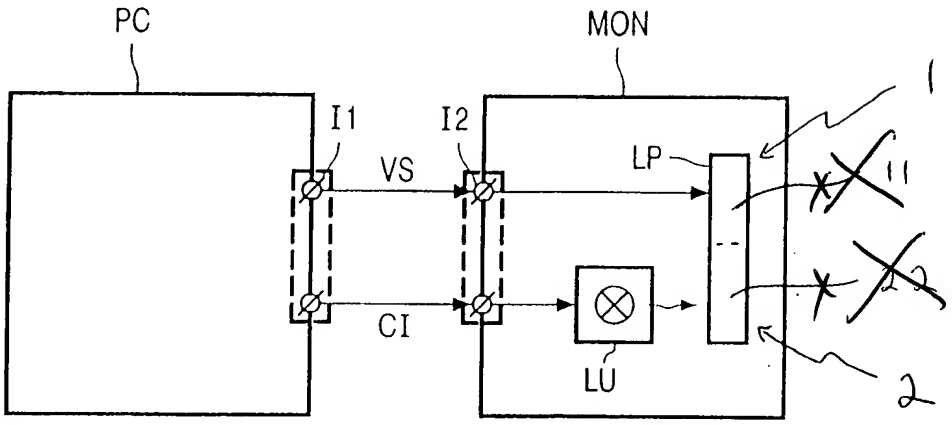

FIG. 1

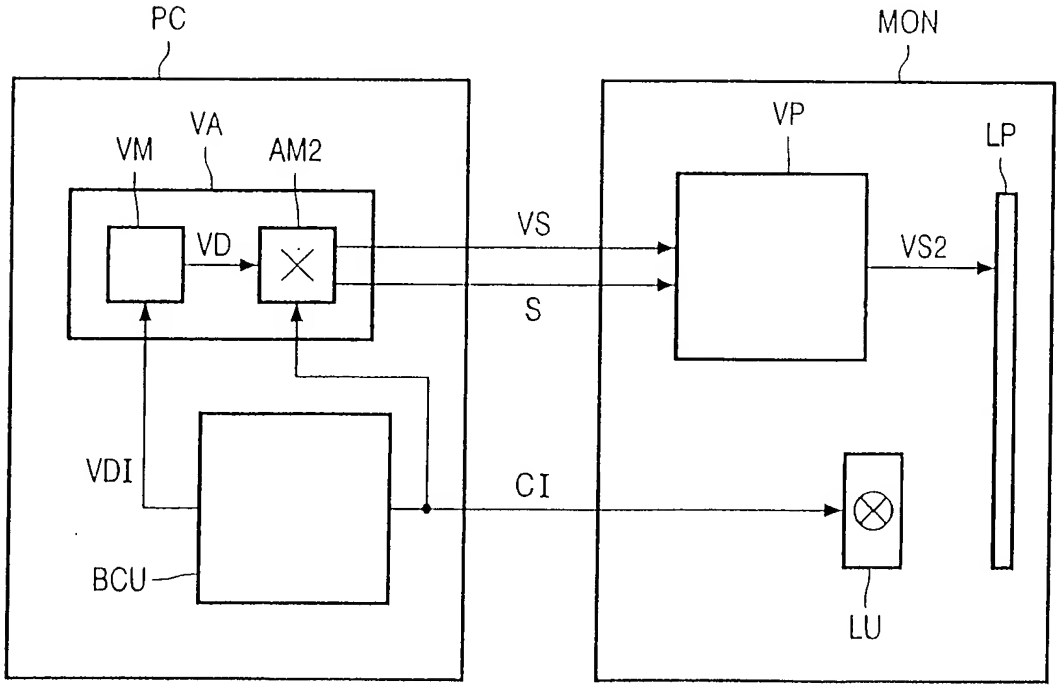

FIG. 3